IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

WRIT PETITION NO. 6447 OF 2007

Office Notes, Office Memorandum of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. S.D. Patil for the Petitioner.
Mr. R.S. Apte with V.N. Tayade and S.K. Chinchalikar for the Respondents.

CORAM : MRS.NISHITA MHATRE, J.
DATE : 11TH OCTOBER 2007

P.C. :

. The Petition has been filed challenging the order of 2nd August 2007, directing the Petitioner to implead Sujata Jayant Damle as one of the Respondents to the Appeal filed by the Petitioner.

2. It is the case of Sujata Damle that she was working with the institution uptil 2006 and while she was on leave, the Institution appointed the Petitioner in her place on a leave vacancy. It is the Petitioner's case that he was appointed by the Institution in accordance with law

and he has been subjected to a disciplinary enquiry pursuant to which his services have been terminated.

3. According to the Petitioner, the Appeal filed challenging the order of termination does not require Sujata Damle to be added as a Respondent.

4. The School Tribunal has considered all aspects in the matter. In my view, the Tribunal has rightly concluded that the Respondent Sujata Damle is a necessary party as there is a contest between the Petitioner and Sujata Damle as to who should occupy the post in which Sujata Damle is working today.

5. The Petition is rejected.

(MRS. NISHITA MHATRE,J.)